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MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS MN 55402-0903

In re Application of
William Kirby Smith et al.
Application No. 10/091,126
Filed: March 4, 2002
For: PNEUMATIC BALL PROPULSION
APPARATUS

DECISION ON PETITION
TO WITHDRAW THE
HOLDING OF ABANDONMENT

This is a decision on applicant's petition to withdrawal the holding of abandonment filed on February 13, 2004 in the United States Patent and Trademark Office. The delay in deciding this petition is regrettable.

The petition is GRANTED in view of the following evidence of timely filing :

- Postcard receipt being dated _____.
- USPTO return facsimile receipt dated December 1, 2003 which identifies the application by serial number and the type of Response that was filed on that date.
- Certificate of Mailing/Transmission signed on _____
and supported by a statement under 37 C.F.R. 1.8(b)(3).
- Hand Delivery Receipt of the specific documents submitted
dated _____.
- Certificate of Transmission of CPA under 37 C.F.R. 1.6 filed on _____.
- Express Mail Receipt under 37 C.F.R. 1.10 dated _____.

This application is being forwarded to the Supervisory Legal Instruments Examiner for entry of the Response filed with the petition, then to the examiner for prompt action on the response.

KJD/mjz: 6/1/04


KENNETH J. DORNER
SPECIAL PROGRAMS EXAMINER
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